

**VILLAGE OF MANCHESTER  
PLANNING BOARD MEETING HELD SEPTEMBER 7, 2010**

Present: Michael Chase, Chairman  
Laurent Gurewitch  
Judy Robinson  
Vincent DelGatto Jr.  
John Schram

Others Attending: Mike Crandall, Rina Derby, Jane McElroy, Marty McMillian and Holger Stave.

Recording: Debra Chase, Deputy Clerk

Chairman Chase called the Public Hearing to order at 7:00 pm. The Chairman read the legal that was published in the Daily Messenger on August 20, 2010. No one was present to speak for or against approval of a Special Use Permit to operate a used car repair shop at 3 South Main Street, Manchester. The Public Hearing was closed at 7:08 pm.

Chairman Chase called the regular planning board meeting to order at 7:09 pm. The minutes from the August meeting were approved upon motion by Vincent DelGatto Jr., seconded by Laurent Gurewitch.

**New Business:**

Fred Ornt submitted an application for a special use permit for a custom repair facility which his tenant –Mike Crandall will operate a used car repair shop. His hours will be part time for right now until the fall when they will be 8:00 am to 5:00 pm. The facility will be used for quick repairs. A special use permit was issued with the motion made by Chairman Case, seconded by Laurent Gurewitch with the conditions that there are no more than 7 cars in the lot at one time.

Judy Robinson made a motion that the building be painted within 60 days. Vincent DelGatto Seconded. Voting as followed: Judy Robinson “Aye”; Vincent DelGatto “Aye”; Laurent Gurewitch “Aye”; John Schram “Aye”; Michael Chase “Nay”. Motion carried.

**3 SOUTH MAIN STREET FRED ORNT –SPECIAL USE PERMIT FOR A CUSTOM REPAIR FACILITY.  
RESOLUTION- SPECIAL USE PERMIT**

A Short Environmental Assessment Form was submitted. The board proceeded in reviewing the SEQR.

After completing Part II of the EAF, Chairman Chase introduced the following NEGATIVE DECLARATION resolution, seconded by Mr. Gurewitch who moved its adoption:

WHEREAS: In accordance with Section 8-0113 Article 8 of the New York Environmental Conservation Law, the Planning Board of the Village of Manchester has conducted an initial review to determine whether the McMillan project may have a significant affect on the environment, and;

WHEREAS: The Planning Board has compared the application and plans submitted with the criteria set forth in Part 617.7 of the Regulations, and;

NOW, THEREFORE, BE RESOLVED, The Planning Board of the Village of Manchester, as lead agency, has determined on the basis of that review that (1) The proposed project constitutes an “Unlisted Action” since it has not been classified as a Type I Action or a Type II, and (2) that the proposed action described will not have a significant environmental impact and an Environmental Impact Statement will not be prepared.

The above resolution was put to roll call vote, which resulted in the following:

Michael Chase	Voting	“AYE”
Laurent Gurewitch	Voting	“AYE”
Judy Robinson	Voting	“AYE”
Vincent DelGatto	Voting	“AYE”
John Schram	Voting	“AYE”

The resolution was thereupon declared duly adopted.

The motion was carried.

WHEREAS, the proposed special use (custom repair facility) is consistent with the general intent of the village’s Comprehensive and Strategic Plans, and;

WHEREAS, the location, size and use of the structure involved, and size and layout of the site in relation to the proposed special use are such that it will be compatible with the orderly development of the use district, and;

WHEREAS, the operation of the proposed special use is no more objectionable to the uses of nearby properties, by reason of dust or smoke emission, noise, odors, fumes, pollution of air or water, including subsurface waters, unsightliness or similar conditions, than would be the operation of any permitted use, and;

WHEREAS, the proposed special use satisfies each and all standards and conditions specified for such special use by the relevant provisions of this Article, and;

WHEREAS, the Code Enforcement Officer shall make an on-site visit not less than one (1) time each year to ensure that the use is being operated in accord with the conditions specified to protect public health and safety, the quality of natural

resources and the value of property. If the CEO determines that a violation exists, the certificate of occupancy shall be null and void and a new special use permit application shall be required, and;  
WHEREAS, no site preparation or construction shall commence until final site plan approval has been granted and permits have been issued by all governmental agencies involved, and fees paid, so

THEREFORE BE IT RESOLVED, that the Village of Manchester Planning Board, does hereby grant a special use permit to Fred Ornt.

The above resolution was offered by Vincent DelGatto, seconded by Laurent Gurewitch, and put to a roll call vote as follows:

Michael Chase Voting "AYE" Judy Robinson Voting "AYE" Vincent DelGatto Voting "AYE"  
Laurent Gurewitch Voting "AYE" John Schram Voting "AYE"

The resolution was then duly declared adopted.

#### **49 NORTH MAIN STREET – MCMILLAN HOLDINGS, LLC**

Mr. McMillian was asking for site plan approval on the Old School Vendors Market.

The Chairman read the County Planning Boards input and MRB's input Mr. McMillian spoke about his plan for a Vendors Market.

The Board asked him about paperwork stating that the asbestos has been removed- Mr. McMillian stated that he is not applying for anything in regards to the old brick building and that there is one pipe on the third floor that needs to be taken out and he will not spend \$10,000 to have that done. He will just be using the old brick building for his own storage and workshop. There is new construction through the old gym but it is an emergency tunnel, an exit only.

Mr. McMillian states that he will be only disturbing one acre of land and that disturbing means moving ground with a blade.

Mr. McMillian states that the lighting will follow the "sky compliant" guidelines. Mr. McMillian wants wall pcks that will be shaded down on the columns.

Mr. McMillian states that the site distance as well as the topography for the North West corner is in the first report.

Mr. McMillian states that the building plan will show proof of ADA compliance.

Mr. McMillian states that the Department of Transportation told him to remove the Rt. 96 entrance. (Letter Attached)

The letter states that – "Completely remove the existing temporary construction entrance and driveway pipe on Route 96 and restore the roadside to original conditions. The emergency access should continue to be obtained from Route 21 as it has previously. The County made a comment that a crash gate should be provided at the Route 96 emergency access point.

Mr. McMillian states that the drainage is all on the new map that was brought to this meeting.

A Short Environmental Assessment Form was submitted. Note that it is ONLY for the newer portion of the building- NOT the old brick building. The board proceeded in reviewing the SEQR.

After completing Part II of the EAF, Chairman Chase introduced the following NEGATIVE DECLARATION resolution, seconded by Mr. Gurewitch who moved its adoption:

WHEREAS: In accordance with Section 8-0113 Article 8 of the New York Environmental Conservation Law, the Planning Board of the Village of Manchester has conducted an initial review to determine whether the McMillan project may have a significant affect on the environment, and;

WHEREAS: The Planning Board has compared the application and plans submitted with the criteria set forth in Part 617.7 of the Regulations, and;

NOW, THEREFORE, BE RESOLVED, The Planning Board of the Village of Manchester, as lead agency, has determined on the basis of that review that (1) The proposed project constitutes an "Unlisted Action" since it has not been classified as a Type 1 Action or a Type II, and (2) that the proposed action described will not have a significant environmental impact and an Environmental Impact Statement will not be prepared.

The above resolution was put to roll call vote, which resulted in the following:

Michael Chase	Voting	"AYE"
Laurent Gurewitch	Voting	"AYE"
Judy Robinson	Voting	"AYE"
Vincent DelGatto	Voting	"AYE"
John Schram	Voting	"AYE"

The resolution was thereupon declared duly adopted.

The motion was carried.

The SWPP (Storm Water Pollution Plan) is not needed because there is not disruption of more than one acre. A motion was made to grant preliminary site plan approval - contingent on receipt of a traffic study and MRB's finished comments after they can look at the plans all at once. Motion made by Vincent DelGatto, seconded by Laurent Gurewitch. All voted AYE.

Meeting adjourned on motion at 8:55 pm.

The next Regular Planning Board meeting will be Tuesday, October 5, 2010 at 7:00 pm.

Submitted by,

Debra Chase Deputy Clerk/Treasurer